



01-0823
RECEIVED
JAN 14 2003
TECH CENTER 1600/2900

Patent Application

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re United States Patent Application of:

Applicants: Christoph Wagener et al.

Serial No.: 09/831,794

Date Filed: August 3, 2001

Title: INFLUENCING ANGIOGENESIS USING
CD66a

Confirmation 9609

No.:

Atty. Docket No.: 4121-124

Examiner: L.R. Helms

Group Art Unit: 1642



23448

PATENT TRADEMARK OFFICE

EXPRESS MAIL CERTIFICATE

I hereby certify that I am mailing the attached documents to the Commissioner for Patents on the date specified, in an envelope addressed to the Commissioner for Patents, Washington, D.C., 20231 and Express Mailed under the provisions of 37 CFR 1.10.

Katrina Holland
Katrina Holland

January 7, 2003

Date

EV241573975US

Express Mail Label Number

RESPONSE TO NOVEMBER 7, 2002 OFFICE ACTION IN U. S. PATENT APPLICATION NO. 09/831,794; PETITION UNDER 37 CFR 1.136 FOR ONE MONTH EXTENSION OF TIME

Commissioner for Patents
Washington, DC 20231

Sir:

In the Office Action dated November 7, 2002, Examiner Helms imposed a restriction requirement under 35 U.S.C. §121 against claims 1-7 and required that an election be made between one of the following groups:

Group I, which is drawn to claim 1(a) and claim 7, drawn to a composition for positive regulation of CD66a wherein the composition induces the expression of CD66a wherein the composition comprises DNA encoding CD66a, CD66a isoforms, and CD66a fragments;

01/09/2003 HVUONG1 00000016 09831794

01 FC:2251

55.00 DP

RECEIVED
JAN 10 2003
GROUP 1700

Group II, which is drawn to claim 1(b) and claims 2-4 and 6, drawn to an antibody, protein or peptides which inhibit the interaction between CD66a and CD66a ligand; and

Group III, which is drawn to claim 1(a) in part and claim 5, drawn to a composition for negative regulation wherein the substance inhibits the expression of CD66a or CD66a ligand and are antisense oligos or RNA.

Applicants provisionally elect Group II, drawn to claim 1(b) and claims 2-4 and 6 and it is requested that prosecution of this application proceed and be based on the elected Group II, claims 1(b), 2-4 and 6.

Petition for Extension of Time/Fees Payable

Applicants hereby petition for a one (1) month extension of time, extending the deadline for responding to the November 7, 2002 Office Action from December 7, 2002 to January 7, 2003. The entry of this petition results in a petition fee of \$55.00. A check in the amount of \$55.00 is submitted herewith in payment of the petition fee for a one-month extension. The U.S. Patent and Trademark Office is hereby authorized to charge any additional amount necessary to the entry of this amendment, and to credit any excess payment, to Deposit Account No. 08-3284 of Intellectual Property/Technology Law.

Respectfully submitted,



Marianne Fuierer
Reg. No. 39,983
Attorney for Applicants

INTELLECTUAL PROPERTY/
TECHNOLOGY LAW
Phone: (919) 419-9350
Fax: (919) 419-9354
Attorney File No.: 4121-124